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| 7590 09/14/2007 David B. Cochran, Esq. Jones Day 901 Lakeside Avenue/North Point Cleveland, OH 44114 | | | EXAMINER SHRESTHA, KIRAN K | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/783,901

Applicant(s)

GRIFFIN, JASON T.

Examiner

Kiran K. Shrestha

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to the amendment filed on July 10, 2007. Claims 1-31 are pending and have been considered below.

Specification

2. The previous objections to the specification have been withdrawn due to the fact that the applicant has positively addressed the issues.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1 – 6, 8-16, 18 – 23 and 25-30 are rejected under 35 U.S.C. 102(a) as being anticipated by Williams (EP1296216A1).

Claims 1 and 18: Williams discloses a predictive text system and device for use with a mobile device having a reduced-key QWERTY keyboard (Page 5:Table 1), a display (abstract), and an alert mechanism, comprising: an ambiguous word list (abstract) comprising a plurality of keystroke combinations, each keystroke combination representing a plurality of key selections on the reduced-key QWERTY keyboard (Page 5:Table 1), wherein the keystroke combinations present in the ambiguous word list are associated with more than one common predicted word (Page 2, [0003], Lines 20-24); and a predictive text system module for receiving an input

keystroke combination from the reduced-key QWERTY keyboard (Page 5:Table 1) and for determining a predicted word for the input keystroke combination, wherein the predicted word is displayed on the display of the mobile device (Page 2, [0003], Lines 20-24); wherein the predictive text system module engages the alert mechanism on the mobile device if the input keystroke combination is present in the ambiguous word list (Page 3, [0022], Lines 56-58).

Claims 2 and 19: Williams discloses the predictive text system and device of claim 1 and 18, further comprising: a dictionary database (large intelligent dictionary: Page 4, [0030], Line 50); wherein the predictive text system determines the predicted word by matching the input keystroke combination with one or more predicted words stored in the dictionary database (Page 2, [0002], Lines 10-11).

Claims 3 and 20: Williams discloses the predictive text system and device of claim 2 and 19, further comprising: a grammar rules database (Linguistic database, Page 2, [0002], Line 11); wherein if the predictive text system determines that there is more than one predicted word associated with the keystroke combination (Page 4, [0030], Lines 50-53), it determines the predicted word by applying a set of grammar rules from the grammar rules database to the input keystroke combination (Page 2, [0002], Lines 9-10).

Claims 4 and 21: Williams discloses the predictive text system and device of claim 1 and 18 further comprising: an alerts store for storing data that causes the mobile device to engage the alert mechanism ("Word Saved", Page 7, [0065], Lines 47-48).

Claims 5 and 22: Williams discloses the predictive text system and device of claim 1 and 18 wherein the alert mechanism is a change in the colour (“reversed in colours in order to indicate”) of the predicted word on the display (Page 3, [0022], Lines 56-58).

Claims 6 and 23: Williams discloses the predictive text system and device of claim 1 and 18 wherein the alert mechanism is an audible tone (alert beep, Page 7, [0055], Lines 14-15).

Claims 8 and 25: Williams discloses the predictive text system and device of claim 1 and 18 wherein the predicted words for each keystroke combination are organised in the ambiguous word list (several words) by frequency of occurrence in the language of the predicted words (Page 4, [0030], Lines 50-53).

Claim 9: Williams discloses the predictive text system of claim 8, wherein the language is English (Page 4, [0025], Line 17).

Claims 10 and 26: Williams discloses the predictive text system and device of claim 1 and 18 further comprising: a dictionary database containing one or more predicted words associated with a plurality of keystroke combinations (large intelligent dictionary, Page 4, [0030], Line 50); and a grammar rules database containing a plurality of grammatical constructs that describe proper grammar in a particular language (Linguistic database, Page 2, [0002], Line 11); and wherein the predictive text system module accesses the grammar rules database to determine the most probable part of speech of the input keystroke combination (Page 6, [0047], Lines 37-38),

and then uses this determination to select one of the predicted words from the dictionary database (Page 6, [0047], Lines 37-40).

Claims 11 and 27: Williams discloses the predictive text system and device of claim 10 and 26 wherein the dictionary database provides a word tag for each predicted word, the word tag indicating the part of speech of the predicted word (Page 2, [0002], Lines 10-13).

Claims 12 and 28: Williams discloses the predictive text system and device of claim 11 and 27 wherein the predictive text system module compares the determination of the most probable part of speech to the word tags in the ambiguous word list (words matching a received string or ambiguous key strokes: abstract) in order to select one of the predicted words from the dictionary database (large intelligent dictionary: Page 4, [0030], Line 50).

Claims 13 and 29: Williams discloses the predictive text system and device of claim 1 and 18 further comprising: a selection list comprising a plurality of alternative predicted words for each of a plurality of keystroke combinations (Page 4, [0023], Lines 1-2); and a data selection device for selecting information displayed on the mobile device (Page 4, [0023], Lines 3-5); wherein in response (step 102) to a user activating the data selection device, the predictive text system module retrieves (step 102) the alternative predicted words associated with the input keystroke combination and displays the alternative predicted words on the display (step 111) (Fig. 11).

Claims 14 and 30: Williams discloses the predictive text system and device of claim 13 and 29 wherein the data selection device is utilised by the user to select one of the alternative predicted words set forth on the display (Fig. 5; Page 6, lines 46-47).

Claim 15: Williams discloses the predictive text system of claim 1, wherein the ambiguous word list is modifiable by a user of the mobile device (mobile phone) (Page 2, Lines 20-23).

Claim 16: Williams discloses the predictive text system of claim 13, wherein the selection list is modifiable by a user of the mobile device (Page 4, [0023], Lines 2-4).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Williams** et al. (EP 1296216) in view of **Schroeder** et al. (US5797098).

Claims 7 and 24: Williams discloses the predictive text system and device of claim 1 and 18, but does not explicitly disclose “the alert mechanism is a vibration device”. **Schroeder** discloses vibratory (Column 8, Lines 40-42). Therefore, it would have been obvious to one having

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ordinary skill in the art at the time of the invention was made to include the alert mechanism “vibration” in Williams. One would have been motivated to do so in order to efficiently alert users of the device by using vibration.

9. Claims 17 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (EP 1296216).

Claims 17 and 31: Williams discloses the predictive text system and device of claim 1 and 18 further comprising: a grammar rules database (Linguistic database, Page2, [0002], Line 11), but does not explicitly disclose “the predictive text system applies one or more grammatical rules from the grammar rules database to the input keystroke combination and disables the alert mechanism on the mobile device.” Williams does disclose Linguistic database (Page2, [0002], Line 11). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to include grammatical rules and disable the alert mechanism in Williams. One would have been motivated to do so in order to efficiently include grammatical rules to predict accurate words in a sentence.

Response to Arguments

Applicant's arguments filed on July 10, 2007 have been considered but they are not persuasive.

The applicant argues that the prior art does not teach or suggest “a predictive text system and device for use with a mobile device having a reduced-key QWERTY keyboard”.

In contrast to the applicant's argument, Williams does teach “Data is entered on the keypad 2 which comprises of individual alpha-numerical keys 7. Most of these keys 7 have

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multiple meanings, represented by letter, numbers and symbols printed on the keys” (page 3, [0022] and fig. 3: items 2, 7).

The applicant argues that the prior art does not teach or suggest “ predictive editor application with device have any kind of QWERTLY keyboard”.

In contrast to the applicant’s argument, Williams does teach “the keypad (which is substantially similar to “QWERTY keyboard”) comprises at least one key for moving the cursor, the key for moving the cursor preferably being a navigation key in said further plurality of keys. Preferably, activation of said key for moving the cursor moves the cursor either to the beginning or to the end of words in said text string that have been received from said predictive editor application” (page 2, [0007] & page 3, [0022]; fig. 3: items 2, 7)

The applicant argues that the prior art does not teach or suggest “an ambiguous word list comprising a plurality of keystroke combinations, each keystroke combination representing a plurality of key selections on the reduced-key QWERTY keyboard, wherein the keystroke combinations present in the ambiguous word list are associated with more than one common predicted word”.

In contrast to the applicant’s argument, Williams does teach “The core functionality of T9™ is, its ability to generate the intended text onto the screen from ambiguous keystrokes entered on a phone keypad, requiring only one keystroke per letter. This provides a more efficient method of entering text than the traditional multi-tap method requiring many more keystrokes per letter due to the multiple mappings of letter to a given key. The predictive editor program makes this

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possible because it is based on a large intelligent dictionary that allows the editor to predict word the user intended based on the number of key-presses and combination of key-presses. Often, several words (which is substantially similar to “ambiguous word list”) will match the keystrokes that are input and the user choose the desired match from those offered by the predictive editor program”.(page 4, [0029 – 0030]).

The applicant argues that the prior art does not teach or suggest “an alert mechanism”

In contrast to the applicant’s argument, Williams does teach “predictive editor program runs out of possible word matches during the typing of a word, the display will show a unique error symbol (which is substantially similar to “a alert mechanism” and fig. 8: item 75).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US5664896

US5818437

US6975304

11. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiran K. Shrestha whose telephone number is 571-270-1691. The examiner can normally be reached on Mon- Fri (Alt. Fri Off) 0700-1630 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca, can be reached on (571) 272-4048 Art Unit 2173. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

K.S.
KS
S. SHRESTHA
Patent Examiner
